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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,385	11/09/2000	Robert Andrew Rhodes	RCA88797	3536

7590 06/10/2004
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Thomson multimedia Licensing Inc
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EXAMINER

LY, ANH VU H

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 06/10/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,385

Applicant(s)

RHODES ET AL.

Examiner

Anh-Vu H Ly

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 24, 2004 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Solomon (US Patent No. 5,974,043).

With respect to claims 1 and 5, Solomon discloses in Fig. 1, a method for processing a voice call over WAN 10 (IP network) by WAN telephone system 6. Further, as shown in Fig. 2, the block 2 (col. 6, lines 50-52), including the WAN telephone system 6, represents the user's local equipment for each of the two users (home environment). As shown in Fig. 4, the base station 48 (Internet phone set) has an interface for connecting to the WAN 10 (Fig. 1) and transceiver 54 for communicating with the cordless WAN telephone 42 (the Internet phone set having an Internet interface device and a wireless device). Solomon discloses in Fig. 2A, a method for processing a voice call over WAN 10, including the steps of receiving voice packets at the WAN telephone system 6 from the WAN network 10, herein, voice packets are segmented, encapsulated, and coded as IP packets (receiving, by the Internet interface device, a signal from a cable network, the signal representing Internet protocol data packets of the voice call and being both modulated in a first format and compressed to match a format of the cable network). As shown in Fig. 4, the receiver using a cordless handset therefore, the steps of demodulating and decompressing are inherent to the WAN telephone system (demodulating, by the Internet interface device, the signal modulated in the first format and decompressing, by the Internet interface device, the demodulated signal). Solomon discloses (col. 10, lines 35-44) that the cordless handset 42 and the base station 48 are implemented using 900 MHz band spread spectrum transceivers. This technology is based on Frequency Hopping or Direct Sequence, provides high security against eavesdropping and jamming. Therefore, to enable the user of the cordless handset 42 to pick up and listen to the voice packets, the WAN telephone system 6 must compress and modulate the voice packets into RF signals and transmit the RF signals over the air (compressing, modulating, and wirelessly transmitting the signals modulated in a second format

to the wireless device). Herein, the cordless handset 42 must demodulate and decompress the RF signals before the signals can be heard by the user (demodulating and decompressing the signal modulated in the second format in the wireless device).

With respect to claims 2 and 6, Solomon discloses in Fig. 1, a method for processing a voice call over Internet (wherein, first format is H.323 compliant).

With respect to claims 3 and 7, Solomon discloses in Fig. 1, a method for processing a voice call over Internet; therefore, to enable a clear conversation between the users, the same codec must be used (first format comprising a same modulation scheme as the second format).

With respect to claims 4 and 8, Solomon discloses in Fig. 1, a method for processing a voice call over Internet, herein, modulation scheme of the WAN is different from the RF such as IP and PPP (first format comprising a different modulation scheme as the second format).

With respect to claims 9 and 13, Solomon discloses in Fig. 4, the base station comprising a transceiver interface 54 (an interface between the modulating and compressing means and the wireless device is a cordless telephone interface).

With respect to claims 10 and 14, Solomon discloses in Fig. 4 that the communication between the transceiver 46 and transceiver 54 is RF signals (analog signals).

With respect to claims 11 and 15, Solomon discloses in Fig. 4, the base station 48 comprising a transceiver 54 (analog cordless telephone interface is CT 1 compliant).

With respect to claims 12 and 16, Solomon discloses in Fig. 4, the base station 48 comprising a transceiver 54 for interfacing with the cordless handset 42 (cordless telephone interface is digital).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 703-306-5675. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl


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SUPERVISORY PATENT EXAMINER
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